

MESSAGE NO: 3257112 MESSAGE DATE: 09/14/1992

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 3117111
MESSAGE #
(s):

CASE #(s): A-588-020

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/1990 TO 10/31/1991

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR TITANIUM SPONGE FROM JAPAN FOR SHOWA
DENKO K.K. AND TOHO TITANIUM CO.,LTD.

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CASES: A - 588 - 020

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PERIOD COVERED: 11 01 1990 TO 10 31 1991

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS FOR TITANIUM SPONGE FROM JAPAN
FOR SHOWA DENKO K.K. AND TOHO TITANIUM CO.,LTD.

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON APRIL 8, 1993 (58 FR 18202) THE FINAL RESULTS OF ITS
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
TITANIUM SPONGE FROM JAPAN (A-588-020). THE REVIEW COVERS
THE PERIOD NOVEMBER 1, 1990 THROUGH OCTOBER 31, 1991.

2. IMPORTS COVERED BY THIS REVIEW ARE SHIPMENTS OF UNWROUGHT
TITANIUM SPONGE. TITANIUM SPONGE IS A POROUS, BRITTLE METAL
WHICH HAS A HIGH STRENGTH-TO-WEIGHT RATIO AND IS HIGHLY

DUCTILE. IT IS AN INTERMEDIATE PRODUCT USED TO PRODUCE TITANIUM INGOTS, SLABS, BILLETS, PLATES, AND SHEETS. DURING THE REVIEW PERIOD, SUCH MERCHANDISE WAS CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE ITEM NUMBER 8108.10.50.10.

3. THE DUMPING MARGINS FOR SHOWA DENKO K.K. (A-588-020-004) AND TOHO TITANIUM CO., LTD. (A-588-020-002) WERE FOUND TO BE ZERO FOR THE PERIOD NOVEMBER 1, 1990 THROUGH OCTOBER 31, 1991.

4. ACCORDINGLY, ALL SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FROM NOVEMBER 1, 1990 THROUGH OCTOBER 31, 1991 FROM SHOWA DENKO K.K. AND TOHO TITANIUM CO. LTD., SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES. YOU MAY APPRAISE THESE SHIPMENTS AND LIQUIDATE THE APPLICABLE ENTRIES BY STAMPING EACH INVOICE WITH THE WORDING "NO DUMPING DUTIES DUE."

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE HEADQUARTERS IS SUBJECT TO THE PROVISION OF SECTION 778 OF THE TARIFF ACT, WHICH REQUIRES INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED DUMPING DUTIES. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.

6. IMMEDIATELY FORWARD TO CUSTOMS SERVICE HEADQUARTERS ANY INFORMATION ON FILE WHICH MIGHT AFFECT THE APPRAISED VALUES UNDER THE ANTIDUMPING PROVISIONS, WITH AN EXPLANATION OF THE CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED. IN SUCH A CASE, SUSPEND LIQUIDATION OF AFFECTED ENTIES UNTIL A DECISION IS MADE CONCERNING THE APPLICABILITY OF THE ADDITIONAL INFORMATION.

7. EFFECTIVE AS OF THE DATE OF ISSUANCE OF THESE INSTRUCTIONS, YOU SHOULD DISCONTINUE THE SUSPENSION OF LIQUIDATION OF

ENTRIES COVERED BY THIS PERIOD (NOVEMBER 1, 1990 THROUGH OCTOBER 31, 1991) FOR SHOWA DENKO K.K. AND TOHO TITANIUM CO., LTD. AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY.

8. CUSTOMS OFFICERS SHALL COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES IN ACCORDANCE WITH OUR PREVIOUS INSTRUCTIONS ISSUED IN E-MAIL 311711 OF APRIL 27, 1993 (I.E., ZERO CASH DEPOSIT WILL BE REQUIRED FOR SHOWA DENKO K.K. AND TOHO TITANIUM CO., LTD.) SUSPENSION OF LIQUIDATION AND THIS CASH DEPOSIT REQUIREMENT WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON THIS MERCHANDISE.
9. YOU MAY RELEASE APPRAISED VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.
10. EFFECTIVE THE DATE OF THE ISSUANCE OF THIS MASTER LIST, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THESE INSTRUCTIONS AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY. SUSPENSION OF LIQUIDATION REMAINS IN EFFECT FOR ENTRIES OF TITANIUM SPONGE FROM JAPAN MADE AFTER OCTOBER 13, 1991.
11. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH BY E-MAIL ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE, (202) 482-2786.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party